

DOCKET NO: 291448US6X PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
RAYMOND CAMPAGNOLO, ET AL. : EXAMINER: MELLON, DAVID C.  
SERIAL NO: 10/581,357 :  
FILED: JUNE 2, 2006 : GROUP ART UNIT: 1797  
FOR: METHOD AND DEVICE FOR :  
DIVISION OF A BIOLOGICAL SAMPLE :  
BY MAGNETIC EFFECT

RESPONSE TO NON-RESPONSIVE RESTRICTION AND ELECTION RESPONSE

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

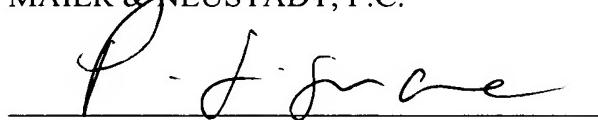
SIR:

In response to the Restriction and Election Requirement dated May 19, 2009, and the Notice of Non-Response dated August 5, 2009, Applicants elect Group I, Claims 37-54, directed to a method for dividing an analyte. Applicants further elect Species A-1 as shown in figures 1 and 2, Species B-1 drawn to a linear bar magnet embodiment, and list Claims 37-45, 49, 51 and 53-54 as reading thereon.

Accordingly, it is respectfully requested that a full examination on the merits of Claims 37-45, 49, 51, and 53-54 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Philippe J.C. Signore, Ph.D.  
Attorney of Record  
Registration No. 43,922

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)